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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

HEATHER BOONE and ROXANNE  
RIVERA, on behalf of themselves and all  
others similarly situated

Plaintiffs,

v.

AMAZON.COM SERVICES, LLC,  
Defendant.

Case No. 1:21-cv-00241-ADA-BAM

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER} CONTINUING SCHEDULING  
CONFERENCE AND DEADLINES FOR  
DEFENDANT'S MOTION FOR  
CERTIFICATION OF INTERLOCUTORY  
APPEAL**

Pursuant to Rules 143, 144, and 230 of the Local Rules of the United States District Court for the Eastern District of California, Plaintiffs Heather Boone and Roxanne Rivera and Defendant Amazon.com Services LLC (collectively, the “Parties”), by and through their undersigned counsel of record, hereby stipulate and request as follows:

WHEREAS, the Court issued an order granting in part and denying in part Defendant’s Motion to Dismiss. (Dkt. 39.)

WHEREAS, Defendant filed its Answer on April 11, 2022. (Dkt. 43.)

WHEREAS, the Parties have not yet commenced formal discovery.

WHEREAS, Defendant filed a Motion for Certification of Interlocutory Appeal under 28 U.S.C. § 1292(b) (“Motion”) on April 11, 2022. (Dkt. 44.)

WHEREAS, the initial scheduling conference is calendared for January 24, 2023. (Dkt. 54.)

WHEREAS, Plaintiffs’ deadline to file their opposition to the Motion is January 27, 2023. (Dkt. 54.)

WHEREAS, Defendant’s deadline to file its reply in support of the Motion is February 10, 2023. (Dkt. 54.)

WHEREAS, the Court declined to set a continued hearing date for the Motion. (Dkt. 54.)

WHEREAS, the Court previously continued the date for the initial scheduling conference and briefing deadlines on the Motion pursuant to the Parties’ stipulations. (Dks. 49 & 54.)

WHEREAS, the Parties had agreed to mediate this action on December 21, 2022.

WHEREAS, the Parties need additional time to prepare for mediation and thus have rescheduled mediation for April 6, 2023.

WHEREAS, the mediation may resolve this action in full.

WHEREAS, it would conserve the Court’s and the Parties’ time and resources to continue the briefing and hearing of the Motion until after the Parties’ mediation.

WHEREAS, it also would conserve the Court’s and the Parties’ time and resources to continue the scheduling conference until after the Parties’ mediation.

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1 THEREFORE, IT IS STIPULATED AND REQUESTED THAT, by and between the  
2 undersigned counsel, and subject to the Court's approval: (1) the initial scheduling conference is  
3 continued to April 25, 2023 at 8:30 AM before Magistrate Judge Barbara A. McAuliffe; (2) the Parties  
4 shall file a Joint Scheduling Report one week prior to the conference; (3) Plaintiffs' deadline to file  
5 their opposition to Defendant's Motion for Certification of Interlocutory Appeal is continued to April  
6 28, 2023; (4) Defendant's deadline to file its reply in support of its Motion for Certification of  
7 Interlocutory Appeal is continued to May 12, 2023; and (5) all other motion and formal discovery  
8 deadlines, including the deadline to serve initial disclosures, are continued until after the initial  
9 scheduling conference on April 25, 2023 at 8:30 AM and shall be addressed in the Parties' Joint  
10 Scheduling Report.

11  
12 Dated: November 28, 2022

HODGES & FOTY, LLP

13 By: /s/ Don J. Foty

14 Don J. Foty (admitted *pro hac vice*)

David W. Hodges (admitted *pro hac vice*)

15 *Attorneys for Plaintiffs Heather Boone*  
16 *and Roxanne Rivera*

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18 By: /s/ Bradley J. Hamburger

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21 *Attorneys for Defendant Amazon.com Services LLC*  
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**ORDER**

The Parties having so stipulated and good cause appearing, it is ordered as follows:

1. The Scheduling Conference currently scheduled for January 24, 2023 is continued to **April 25, 2023 at 8:30 AM before Magistrate Judge Barbara A. McAuliffe;**
2. The Parties shall file a Joint Scheduling Report one week prior to the conference;
3. Plaintiffs' deadline to file their opposition to Defendant's Motion for Certification of Interlocutory Appeal is continued to April 28, 2023;
4. Defendant's deadline to file its reply in support of its Motion for Certification of Interlocutory Appeal is continued to May 12, 2023;
5. All other motion and formal discovery deadlines, including the deadline to serve initial disclosures, are continued until after the initial scheduling conference on April 25, 2023 at 8:30 AM and shall be addressed in the Parties' Joint Scheduling Report.

IT IS SO ORDERED.

Dated: November 28, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE